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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DA
JG**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
3489-028

First named inventor: SIMPSON

Application No.: 09/054564

Art Unit: 3724

Filed: 04/03/1998

Examiner: JASON D. PRONE

Title: TRIM EDGE STRIPPER FOR A CORRUGATED BOARD ROTARY CUTTING DIE

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ \$1330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of CORRECTED DRAWING REQUIREMENT (identify type of reply):

has been filed previously on _____.
 is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ 1330.00.

has been paid previously on APRIL 20, 2004.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/21/2004 WBDDEL1 00000035 09054564
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SEPTEMBER 16, 2004

Date



Signature

Telephone

Number: (919) 854-1844

LARRY L. COATS, REG. 25,620

Typed or printed name

COATS & BENNETT, P.O. BOX 5, RALEIGH NC, 27602

Address

Enclosures: Fee Payment

Address

 Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

SEPTEMBER 16, 2004

Date



Signature

ALFONSO G. SANDOVAL

Type or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Utility Patent of SIMPSON)
Patent Number: Pending)
Filed: April 3, 1998) Confirmation Number: 2718
Title: TRIM EDGE STRIPPER FOR A)
CORRUGATED BOARD ROTARY CUTTING)
DIE)
Attorney's Docket No: 3489-028)

Raleigh, North Carolina
September 16, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED

UNINTENTIONALLY UNDER 37 CFR 1.137 (b)

Pursuant to 37 CFR §1.137 (b), Applicant herewith Petitions that the application be withdrawn from holding of abandonment.

Applicant received Notice of Abandonment dated August 19, 2004. Abandonment Contact, Mr. Tom Hawkins, indicated that the application was abandoned for Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowance dated March 31, 2004.

Enclosed please find completed form PTO/SB/64 with Statement that the entire delay was unintentional, Check No.12885 in the amount of \$1,330.00 to cover Petition Fee under 37 CFR 1.17(m), cover letter for Submission of Formal Drawings in Response to Notice of Allowance dated March 31, 2004, Red-Lined

version of Figure 10 indicating correction requirement, a clean set of replacement Figures 1 through 14 (11 pages), and return postcard for your consideration.

If additional fees or charges are required, the Commissioner is hereby authorized to deduct from Deposit Account 18-1167. If for any reasons this petition to revive abandoned application is insufficient, the Patent and Trademark Office is requested to telephone the undersigned.

Respectfully submitted,
COATS & BENNETT, P.L.L.C.

By:



Larry L. Coats

Registration No. 25,620

Telephone: (919) 854-1844

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING DEPOSITED ON THE DATE INDICATED BELOW WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

SIGNATURE: 

NAME: ALFONSO G. SANDOVAL

DATE MAILED: SEPTEMBER 16, 2004